



06-25-04

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(S)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2004 JUN 23 PM 12:33

In re application of: Nykoluk, et al

Unit: 3727

Application No.: 09/604,995

Examiner: Tri M. Mai

Filed: 28 June 2000

Docket No.: 20041304

For: TOWABLE WHEELED BACKPACK

JUL 02 2004

OFFICE OF PETITIONS

06/29/2004 DALLEN 00000011 09604995

01 FC:1461 **REQUEST FOR CORRECTION OF ENTITY STATUS AND EXCUSE OF ERROR IN
ENTITY STATUS UNDER 37 C.F.R. 1.28(C)**

Adjustment date: 07/20/2004 AKELLEY
06/29/2004 DALLEN 00000011 09604995
01 FC:1461 -330.00 OP

Assistant Commissioner for Patents
Washington, D. C. 20231

Adjustment date: 07/20/2004 AKELLEY
06/29/2004 DALLEN 00000010 09604995
01 FC:1461 -210.00 OP

Applicant has recently discovered that small entity status was lost by the assignee in the

above referenced application on April 1, 2003 and small entity fees were paid after that date.

This error in current status was made in good faith. Applicant has paid fees associated with the above referenced case believing themselves in good faith to have been entitled to small entity status after that time.

In order to comply with the requirements for correcting the deficiency of payment in the above referenced case, included below is a table showing (A) the type of each fee erroneously paid as a small entity and the current fee for a non-small entity, (B) the amount actually paid for each fee and the date of payment, (C) the deficiency owed for each fee, and (D) the total deficiency owed in accordance with 37 C.F.R. 1.28(c)2. Also enclosed herewith is a Request to charge a credit card in the amount of \$210.00 as required to pay for the deficiency calculated under 37 C.F.R. 1.28(c)2, and shown below.

06/29/2004 DALLEN 00000010 09604995

01 FC:1461 210.00 OP

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07/20/2004 AKELLEY 00000005 09604995
01 FC:1252 420.00 OP




| Type of Fee | Current Non-Small Entity Fee | Amount Paid | Date Paid | Deficiency Owed |
|-------------------------------------|------------------------------------|----------------|--------------|--------------------|
| Information Disclosure Statement | \$180.00 | \$180.00 | 2/20/2004 | \$0.00 |
| Two Month Extension of Time | \$420.00 | \$210.00 | 12/1/2003 | \$210.00 |
| Total Deficiency | | | | \$210.00 |

It is believed this filing will resolve any and all issues related to previous errors in the entity status of the applicant, and correct the entity status of the application for the future.

Should there be any questions after reviewing this paper, please contact the undersigned attorney at (314) 444-7783 as soon as possible.

Respectfully submitted,

Dated: June 23, 2004


Kirk Damman
Registration No. 42,461
Attorney for Applicant

Customer Number: 22822
Lewis, Rice and Fingersh, L.C.
Attn: Box IP Dept.
500 N. Broadway, Suite 2000
St. Louis, MO 63102-2147
Tel: (314) 444-7600
Fax: (314) 444-7788

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09/604,995

28 June 2000

Tri Mai

3727

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hereby certify that the

Request for Correction of Entity Status and Excuse of Error in Entity Status Under 37 CFR 1.28(c), Request to Charge Credit Card

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 23, 2004

(Date)

Kirk Damman

(Typed or Printed Name of Person Mailing Correspondence)

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